

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ATHENA CONSTRUCTION GROUP, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:21-cv-00396 (AJT/TCB)
)	
WILLIAM SMITH, III, <i>et al.</i> ,)	
)	
Defendants,)	
_____)	

ORDER

This matter is before the Court on Defendants’ Motion to Dismiss Plaintiff’s Amended Complaint [Doc. No. 15] (the “Motion” or “Mot.”).¹ Upon consideration of the motion, the memoranda of law in support thereof and in opposition thereto, the arguments of counsel, and for the reasons stated in open court during the June 2, 2021 hearing, it is hereby

ORDERED that Defendants’ Motion to Dismiss Plaintiff’s Amended Complaint [Doc. No. 15] be, and the same hereby is, **GRANTED**; and it is further

ORDERED that this action be, and the same hereby is, **DISMISSED** against Defendants William Smith and Re Construction LLC.

¹ Plaintiff have also filed a Motion to Strike [Doc. No. 25], which in substance requests that that the Court strike Defendants’ Supplemental Brief in Support of Their Motion to Dismiss [Doc. No. 20] as violative of E.D. Va. Local Rule 7(F). The Court construes Defendants’ Supplemental Brief in Support of Their Motion to Dismiss [Doc. No. 20] as its reply brief and therefore denies Plaintiff’s Motion to Strike [Doc. No. 25].

The Clerk is directed to forward a copy of this Order to all counsel of record.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
June 2, 2021